

Message Text

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44

ACTION ARA-17

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TO SECSTATE WASHDC PRIORITY 1233

INFO AMEMBASSY GUATEMALA

AMEMBASSY TEGUCIGALPA

AMEMBASSY SAN JOSE

AMEMBASSY SAN SALVADOR

CINCSO

C O N F I D E N T I A L MANAGUA 1956

USCINCSO FOR POLAD

E. O. 11652: GDS

TAGS: PGOV, PINT, PINR, NU

SUBJECT: PAGUAGA AND SOMOZA DECLARE AGUERO CONVENTION ILLEGAL

REF: MANAGUA 1876

1. SUMMARY: AS ANTICIPATED, EDMUNDO PAGUAGA, ON BEHALF OF HIS RIVAL CONSERVATIVE PARTY (PCN) FACTION, AND GENERAL SOMOZA, ON BEHALF OF THE GON, HAVE DECLARED THE APRIL 1 PCN CONVENTION REPORTED REFTEL ILLEGAL AND ITS ACTS NULL AND VOID. BOTH PAGUAGA AND SOMOZA WILL TRY TO IGNORE AGUERO IN THE HOPE THAT HIS MOVEMENT WILL LOSE MOMENTUM AND HE WILL FADE AWAY. SOMOZA INTENDS TO PROCEED WITH ELECTIONS IN SEPTEMBER 1974. SOMOZA SAYS THE NATIONAL IDENTIFICATION SYSTEM CANNOT BE IMPLEMENTED BEFORE THE ELECTIONS BUT HE WILL ENACT OTHER AGREED UPON REFORMS.
END SUMMARY.

2. SPOKESMAN FOR THE RIVAL PCN CAMP LED BY EDMUNDO PAGUAGA, VIGOROUSLY DENOUNCED THE APRIL CONVENTION AS ILLEGAL AND DECLARED THAT THEY WILL NOT RESPECT ANY OF ITS ACTIONS. IN
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ADDITION TO ALLEGING MANY TECHNICAL VIOLATIONS, THE PAGUAGA GROUP MAINTAIN THAT THE PCN STATUTES REQUIRE THE PRESENCE OF TWO-THIRDS OF THE 247 REGULAR DELEGATES IN ORDER TO CONVENE A CONVENTION AND THE REQUIRED 165 REGULAR DELEGATES WERE NOT PRESENT AT THE APRIL 1 MEETING. PAGUAGA SPOKESMAN CONCEDED TO EMBASSY OFFICERS THAT POSSIBLY 200 DELEGATES ATTENDED THE MEETING BUT THEY INSIST THAT ONLY 140 OF THEM WERE REGULAR AND THE REST WERE ALTERNATES. THEY ADMIT THAT THE TURNOUT DEMONSTRATED AGUERO' S STILL CONSIDERABLE STRENGTH, BUT THEY CONFIDENTLY PREDICT THAT AGUERO WILL LOSE MUCH OF HIS SUPPORT DURING THE NEXT FEW MONTHS. THE PAGUAGUISTAS INDICATE THAT THEY ARE RELYING HEAVILY ON A FAVORABLE REVISION OF THE POLITICAL PACT WITH SOMOZA TO ENHANCE THEIR POSITION AND IMPROVE THEIR IMAGE.

3. GENERAL SOMOZA TOLD THE AMBASSADOR THAT HE AGREES WITH PAGUAGA' S INTERPRETATION CONCERNING THE TWO- THIRDS REQUIREMENT AND HE, THEREFORE, TAKES THE POSITION THAT THE APRIL 1 MEETING WAS INVALID UNDER THE PCN' S OWN STATUTES. ACCORDINGLY, SOMOZA SAID HE AND THE LIBERAL PARTY WOULD CONTINUE TO ACCEPT THE PAGUAGA GROUP AS THE LEGITIMATE REPRESENTATIVES OF THE CONSERVATIVE PARTY. SOMOZA SAID HE INTENDED TO MEET WITH PAGUAGA TO DISCUSS POSSIBLE REVISIONS OF THE POLITICAL PACT. SOMOZA INDICATED THAT HE INTENDED TO HOLD THE ELECTIONS SCHEDULED FOR SEPTEMBER 1974 AND ANY EXTENSION OF THE PRESENT INTERIM GOVERNING COUNCIL ARRANGEMENT WAS OF OF THE QUESTION. HE SAID THAT HE WOULD NOT BE ABLE TO IMPLEMENT THE PROMISED NATIONAL IDENTIFICATION SYSTEM (CEDULACION) BEFORE THE ELECTIONS BUT HE DID INTEND TO CARRY OUT OTHER AGREED UPON REFORMS.

4. AGUERO' S INTERPRETATION OF THE PCN STATUTES OBVIOUSLY DIFFERS FROM THAT OF PAGUAGA AND SOMOZA. AGUERO MAINTAINS THAT THE DISPUTED ARTICLE PROVIDES ONLY THAT TWO- THIRDS OF THE " NUMBER" OF THE REGULAR DELEGATES BE PRESENT. HE INSISTS THAT PARTY CONVENTIONS HAVE ALWAYS ADHERED TO THIS INTERPRETATION, INCLUDING THE LAST CONVENTION WHICH APPROVED THE POLITICAL PACT. HE SAYS THAT 148 REGULAR DELEGATES AND 61 ALTERNATES SUBSTITUTING FOR ABSENT REGULAR DELEGATES WERE PRESENT AND THE APRIL 1 CONVENTION IS FULLY LEGAL. AGUERO TOLD AN EMBASSY OFFICER THAT SOMOZA HAS ILLEGALLY STRIPPED HIM AND HIS PARTY OF THEIR LEGAL RIGHTS AND THEY WILL THEREFORE " TAKE THE TRADITIONAL ROUTE OF THE PERSECUTED AND GO TO THE CATACOMBS."

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5. COMMENT: IN THE EMBASSY' S OPINION, THE PCN STATUTES ARE

LOADED WITH DOUBLE ENTENDRES WHICH SO OBSCURE AND COMPLICATE
THE VARIOUS PROVISIONS THAT AN EXACT INTERPRETATION IS EXTREMELY
DIFFICULT.
SHELTON

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